

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

-v-

**Case No. 09-CR-310
(USCA No. 11-2725)**

CHRISTINE PERKINS,

Defendant-Appellant.

DECISION AND ORDER

This matter comes before the Court on the motion filed on July 25, 2011, by the Defendant-Appellant, Christine Perkins (“Perkins”), for an extension of time to file her appeal from the January 6, 2011, judgment of conviction against her. Perkins had 14 days from the entry of the judgment to file her notice of appeal. *See* Fed. R. App. P. 4(b)(1)(A)(i). Perkins’s time to file an appeal began with the entry of the judgment on the criminal docket. *See* Fed. R. App. P. 4(b)(6). The judgment was entered on the docket on January 6, 2011.

Computing the time according to Rule 26(a) of the Federal Rules of Appellate Procedure, Perkins’s notice of appeal should have been filed with this Court on January 21, 2011.

However, Rule 4(b)(4) of the Federal Rules of Appellate Procedure provides that:

[u]pon a finding of excusable neglect or good cause, the district court may – before or after the time has expired, with or without motion and notice – extend the time to file a notice of appeal for a

period not to exceed 30 days from the expiration of the time otherwise prescribed by this Rule 4(b).

Rule 4 allows district courts to extend the time for appeal for no more than 30 days from the time otherwise prescribed by Rule 4(b). Thirty days from the deadline for Perkins to file her notice of appeal was Sunday, February 20, 2011.

Perkins's only previous contact with the Court regarding a potential appeal was filed on April 4, 2011. Even if that contact was construed as a request for an extension of time, it would have come too late for this Court to grant her relief. In light of the foregoing, Perkins's request for an extension of time to file her appeal, filed on July 25, 2011, is **DENIED**.

Dated at Milwaukee, Wisconsin, this 3rd day of August, 2011.

SO ORDERED,

s/ Rudolph T. Randa
HON. RUDOLPH T. RANDA
U.S. District Judge